Sectt. II-27—25,000

R.S.G. (1934) Department.

Leg. SERIES.

G.O. No. 843 R4

DATED 27. 3. 34

[Despatch Abstract.]

TOWN PLANNING.-

Mangalore Municipal Council - Guliga Hithulu Town Planning Scheme - Arbitrator appointed.

Government of Madras

LOCAL SELF-GOVERNMENT DEPARTMENT

(Public Health)

G.O. No. 2023, P.H., 11th September 1933

Town-Planning—Mangalore Municipal Council—Guliga Hithlu Town-Planning Scheme —Sanctioned.

READ—the following papers :—

From the Chairman of the Mangalore Municipal Council, dated 2nd February 1933, W. No. 57/32-33.

From the Collector of South Kanara, dated 24th April 1933, No. 720/33.

Endorsement of the Board of Revenue (Land Revenue and Settlement), dated 13th May 1933, B. No. 2290/33.

Endorsement of the Director of Town-Planning, dated 18th May 1933, No. 1122.

Order—No. 2023, P.H., dated 11th September 1933.

Under sub-section (3) of section 14 of the Madras Town-Planning Act, 1920, the Government sanction, subject to certain modifications, the Guliga Hithlu Town-Planning Scheme, Mangalore, as finally approved by the Mangalore Municipal Council in its resolution No. 17, dated 23rd January 1933, and as shown in Appendix I to this order. The notification in Appendix II will be published in the *Fort St. George Gazette*.

2. The Chairman, Municipal Council, Mangalore, is requested to see that the scheme is open to inspection by the public at the municipal office during office hours for a period of six months from the 5th December 1933.

(By order of the Government, Ministry of Local Self-Government)

S. G. SENGODAIYAN,
Deputy Secretary to Government.

To the Chairman of the Mangalore Municipal Council.
" Collector of South Kanara.
" Board of Revenue (Land Revenue and Settlement).
" Revenue Department.
" Director of Town-Planning.
" Director of Public Health.
" Sanitary Engineer.
" Inspector of Municipal Councils and Local Boards.
" Law (Drafting) Department.
" Superintendent, Government Press (for publication of Appendix II in Part I-A of the *Fort St. George Gazette*).

APPENDIX I.

GULIGA HITHLU TOWN-PLANNING SCHEME, MANGALORE.

1. (*a*) This scheme may be cited as the Guliga Hithlu Town-Planning Scheme, Mangalore, 1933.

(*b*) The Municipal Council, Mangalore, shall be the responsible authority for the scheme.

2. In this scheme unless there is anything repugnant to the subject or context —

'Act' means the Madras Town-Planning Act, 1920, as amended by Act II of 1930.
'Scheme' means the Guliga Hithlu Town-Planning Scheme, Mangalore, 1933.
'Area' means the area included within the scheme as defined in clause (3) of the scheme.
'Council' means the Municipal Council, Mangalore.
'Map' or schedule means the map or schedule attached to the scheme.

3. The area to which the scheme shall apply shall be that within the inner edge of the boundary line coloured red on the map.

4. The ownership and extent of all lands included in the scheme is given in Schedule I.

5. The map shows the lines of existing streets in the area coloured yellow and proposed streets and widenings coloured burnt sienna.

6. An estimate of the cost of the scheme is furnished in Schedule II.

7. The new streets and widenings described in Schedule III and all works connected therewith shall be constructed by the Council on the lines and of the width indicated on the map.

8. So far as may be necessary for the purpose of carrying out the scheme, the Council may demolish any building or other works in the land reserved under the scheme for streets and other purposes.

9. The notification of this scheme in the *Fort St. George Gazette* under section 14 of the Act shall operate as a declaration under section 6 of the Land Acquisition Act, 1894, for acquisition of all or any of the lands mentioned in Schedule I in so far as they are required for the public purposes noted in Schedules III and IV or for any other purpose of the scheme.

10. The Council may dispose of the land either acquired under clause above or owned by it by sale in auction, lease, or otherwise subject to the compliance to the scheme and also subject to the payment of ground-rent at the rate in force for the time being. The rates so fixed will be liable to revision at re-settlement.

11. (*a*) The lands allotted and reserved under section 4 (*k*) of the Act are shown in Schedule IV.

(*b*) If any of the lands shown reserved in Schedule IV are not required for the purpose mentioned therein, they may be reserved by the Council for any other purposes as it thinks fit.

(*c*) No part of the area shall be used for any factory or workshop in which it is proposed to employ steam, water, mechanical or electrical power.

12. (*a*) In the unreserved area such residential, commercial or public buildings may be erected as in the opinion of the Council will not be detrimental to the amenities of the area.

(*b*) Plans and elevations of buildings, shall be of a design approved by the Council.

(*c*) The use of thatch as building material in the area is prohibited.

(*d*) The building line shall be placed at a distance of at least 5 feet from the street alignment and in the space between the building line and the street alignment no building of any character other than a compound wall shall be permitted. No boundary wall or fence erected between the building line and the edge of the adjacent street shall be of a greater height than 5 feet measured from the level of such street.

(*e*) The building rules, regulations and by-laws in force in the Municipality of Mangalore shall apply to this scheme in so far as they are not inconsistent with the scheme.

13. Claims for compensation under section 20 of the Act shall be made within 12 months of the date on which the scheme takes effect.

14. Claims for betterment contribution under section 23 of the Act shall be made by the Council within 12 months of the date on which the scheme takes effect.

The contributions shall be payable annually for a term of 15 years and shall be leviable at 7½ per cent of the increase in value calculated in accordance with the provisions of the Act provided that the lands acquired and sold or leased by the Council shall not be liable to betterment.

15. The Council may, subject to the approval of Government, make any agreement that it thinks fit with any person or persons in furtherance of the carrying out of the scheme or any matter connected therewith provided that such agreement is not inconsistent with the scheme.

16. Any person who commits or knowingly permits a breach of any provision of this scheme or who neglects or fails to comply with any such provision shall on conviction be punishable under section 44-B of the Act.

MUNICIPALITY OF MANGALORE.

GULIGA HITHLU TOWN-PLANNING SCHEME.

Schedule I.

Ownership and extent of land.

Ward number.	T.S. No. and subdivision.	Name of owner.	Extent.	Remarks as to utilization of buildings, etc.
			SQ.FT.	
V	1	Government	4,356	Road.
	2	C. K. Kunhamad Keyi	7,405	Dwelling house and shop.
	3/A-1	Albery Abrao	24,393	Cosmopolitan Club and garden.
	3/A-2	Joseph Lobo	436	Waste land.
	3/B	Sayyed Ali and four others ..	20,038	Dwelling house and garden.
	4/1	Nagu	37,659	Dwelling house, shop and garden.
	4/2	Sayyed Mahomed Sahib	674	Waste land (compound wall).
	5	Pandit Shiva Rao (M.) Babu ..	3,920	Dwelling house and garden.
	6	Guruvappa Moili (M.), Maire ..	1,742	Dwelling house.
	7	Guruvappa Moili (M.), Aitha ..	2,178	Dwelling house and garden.
	8/A-1 A ..	Guruvappa Moili	17,642	Do.
	8/A-2	Bhavanishanker Rao	2,614	Do.
	8/A-1 B ..	Joseph Lobo	654	Garden.
	8/A-1 C ..	Do.	436	Do.
	8/B	Krishnappa	6,098	Dwelling house and garden.
	8/C	Pandit Shiva Rao (M.), Babu ..	3,019	Do.
	9	Bhavanishanker Rao	1,307	Do.
	10	Subramania Shastri (M.), Pandit Raghunatha Rao and Ananda Rao.	41,382	Do.
	21/AA-1 (portion).	Joseph Lobo	11,366	Garden. Total extent of the subdivision is 5·28097 acres.
	21/B	Do.	218	Land.
V-2	29	Government (poramboke) ..	15,682	Road.
	30	Manager for the time being of the Milagres Church.	13,939	Catholic Club.
	31	Janaki (M.), Andrew Pinto ..	1,742	Shop.
	32/A-1 A ..	Government (poramboke) ..	11,330	Road.
	32/A-1 B ..	Dulcina Mascarenhas Bai ..	151	Garden.
	32/A-2 ..	Government	63	Steps.
	32/B	C. K. Kunhamad Keyi	218	Shop.
	33/A-1 ..	Madhava Naik	4,109	Dwelling house, shop and garden.
	33/A-2 ..	Dulcina Mascarenhas Bai ..	247	Dwelling house and garden.
	33/B-1 ..	Do. ..	5,838	Do.
	33/B-2 ..	Madhava Naik	260	Do.
	35/B	Janaki (M.), Milagres Church ..	15,246	Do.
IV	199 (part) ..	Jarappa	21,600	Dwelling house, shop and garden.
	200 (part) ..	Sri Venkatramana God (M.) Krishnappa and Aithappa.	14,651	Do.
	216	Manjeshwar Shanker Rao ..	37,026	Dwelling house and garden.
	217/1 (part) ..	M. Venktesh Pai	37,818	Do.
	217/2 (part) ..	Manager, Ganapathi High School.	4,209	School compound.
	221 (part) ..	Do.	2,430	Do.
	222	Juano Francis Deo (M.), George and James Herbert.	5,227	Dwelling house, shop and garden.
	223	Thyampa	13,504	Do.
	224	Government	19,167	Road.

Schedule II.

Estimate of the net cost of the scheme.

Debits.	RS.	Credits.	RS.
1. Acquisition of lands, buildings, etc.—		1. Government grants	
(1) For roads and lanes ..	8,000	2. Contribution from	
(2) For other purposes ..	11,000	(*a*) Government departments	
2. Improvements—		(*b*) Other local authorities	
(1) Raising level	1,000	(*c*) Private persons	
(2) Forming roads	2,000	3. Sale proceeds of sites and buildings	15,000
(3) Culverts	2,000	4. Amounts debitable to—	
(4) Drains	2,500	(*a*) The Elementary Education Fund of the municipality	
(5) Lighting	..	(*b*) The Water-supply and Drainage Fund	
(6) Water-supply	..	(*c*) The Remunerative Enterprises Fund	
(7) Latrines	..	5. Other items	
(8) Schools	..		
(9) Markets	..		
(10) Other works	2,000		
3. Compensation for injurious affectation	..		
4. Miscellaneous—			
(1) Cost of preparation of schemes including special surveys	100		
(2) Cost of arbitration, etc. ..	250		
(3) Legal expenses	250		
(4) Contingencies	1,000		
Total ..	30,100	Total ..	15,000

Net capital cost Rs. 15,100

How the net cost is proposed to be met—

1. Amount that may be appropriated from the balance under Land Development Fund—Capital	Nil.
2. Amount of average income from betterment under the scheme	1,500
3. Amount of annual surplus in Land Development Fund—Ordinary	Nil.
4. Amount of additional loan which items 2 and 3 will finance	No loan is proposed to be taken as the entire cost will be met from the surplus balance with the Council. It is also proposed to request Government to give a grant as the purpose of the scheme is to clean up a highly insanitary area.
5. Total items 1 and 4	..

Schedule III.

New streets and widenings.

Serial number.	Distinguishing letters.	Length.	Width.	Extent.	Survey numbers affected.	Extent in survey numbers affected.	Remarks.
		FT.	FT.	SQ. FT.		SQ. FT.	
1	A ..	428	Average 11	4,708	9 ..	220	For road widening.
					8/A-1 A ..	168	
					6 ..	380	
					5 ..	845	
					4/1 ..	3,095	
						4,708	

Schedule III—cont.

New streets and widenings—*cont.*

Serial number.	Distinguishing letters.	Length.	Width.	Extent.	Survey numbers affected.	Extent in survey numbers affected.	Remarks.
		FT.	FT.	SQ.FT.		SQ.FT.	
2	B ..	364	15	5,460	6 ..	174	New road.
					5 ..	396	
					8/C ..	390	
					8/A-1 A ..	990	
					8/B ..	1,350	
					4/1 ..	405	
					3/B ..	1,755	
						5,460	
3	C ..	225	Average 16	3,600	4/1 ..	2,820	New road.
					8/C ..	740	
					8/B ..	40	
						3,600	
4	D ..	160	15	2,400	3/B ..	900	New road.
					4/1 ..	1,500	
						2,400	
5	E. ..	175	15	2,605	3/B ..	2,605	New road.

Schedule IV.

List of reserved lands.

1	F ..	94	40	3,760	9 ..	1,085	For shops or buildings.
					8/A-1 A ..	1,034	
					8/A-2 ..	457	
					6 ..	1,184	
						3,760	
2	G ..	212	40	8,480	5 ..	2,080	For shops or buildings.
					4/1 ..	6,400	
						8,480	
3	H ..	99	50	4,950	3/B ..	4,950	For shops or buildings.
4	K ..	85	73	6,205	3/B ..	6,205	Do.
5	L ..	$\frac{84 \times 90}{2}$ ..		3,780	4/1 ..	3,780	Do.
6	M ..	98	37	3,626	3/B ..	3,626	Open space for bus or car-stand or for shops or buildings.

APPENDIX II.

Under the provisions of sub-section (5) of section 14 of the Madras Town-Planning Act, 1920, as amended by Act II of 1930, the Local Government are hereby pleased to notify that, under sub-section (3) of the said section, they have sanctioned the Guliga Hithlu Town-Planning Scheme, Mangalore. The scheme will be open to inspection by the public at the Municipal office, during office hours for a period of six months from the 5th December 1933.

Sectt. II-5(a)

L.S.4(P.H.) DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

Town Planning Scheme Mangalore mel council — Gulliga Hiriya T.P. Scheme — Arbitrator appointed

(K

READ AGAIN G.O. No. 2023 P.H, dated 11—9— 1933.

" " " " " " 19

READ ALSO:—

C. No. ~~2023~~ P.H. From the , No. , dated 19

" " 1134 9/34 " " " " 19

" " " " " " 19

ORDER.

No. 843 P.H, dated 27-3- 1934

Dpd. by Post / Passenger

Date 28/3/1934

27.3.34

Dpt. dated

Rec'd Mangalore
" Com. S. Kanara
" D.T.P.
Inspector of Mines & Local Bds.
Com. (Drainage)
Revenue Dept.
S. & P. (for information w Part T-A of the Gazette)
Gazetted 3/4/34 T. S. & Gazette

under Section 27 of the Madras T.P. Act, 1920, the Govt. appointed the R.D.O. Mangalore to be the arbitrator in respect of the Gulliga Hiriya Town Planning Scheme, Mangalore, (K) sanctioned w/ G.O. No. 2023 P.H. dt. 11-9-1933

10-3-34

NOTE - Please see G.O. No.

P.T.O.

[illegible] file. The R. D. O. Mangalore may be appointed as the arbitrator to [illegible] for [illegible] for compensation under section 20 and for betterment contribution under section 23 extends up to one year from the date of the. scheme. The draft also may be sent to D.T.P for perusal and Revenue for acceptance

[illegible]
13-3-34

13/3

DTP

13/3

Seen and returned
13/3
D. T. P.
15/3/34

C.No. 533/15-3.34
TOWN PLANNING
MADRAS

11349—1 E-2 H
13-3-34

D.T.P. 416/34
17-3.34.

SECRETARY TO GOVT.
18 MAR 1934
LOCAL SELF-GOVERNMENT DEPARTMENT

12398

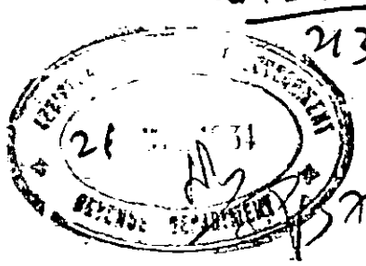
D.T.P.

19/3

L. S. G. (B.H.)

The wages when on wages
system may now be sent to
Revenue for acceptance

R 15-26 F
21334 K-3-34



1239 F-1 Estt.
20-3-34

Rev Deptt.
Deptt. for acceptance
23.3.34
S.

L.S.G.

Rev mg. 1-5-26 F/Sl. 1
28/3/34

Deptt.

Cw. 136658
34

GOVERNMENT OF MADRAS.

Received. . . . . 1934. Registered. . . . . 1934.

Abstract.

Town Planning - Mangalore Municipal Council - Oulige Mithulu Town Planning Scheme - Arbitrator - Appointed.

Local Self Govt. Department,
G.O.No.Ms.843-P.H., dated the 27th March 1934.

READ:-

G.O.No.2023-P.H., dated 11th September 1933.

O R D E R:

Under section 37 of the Madras Town Planning Act, 1920, the Government appoint the Revenue Divisional Officer, Mangalore, to be the arbitrator in respect of the Oulige Mithulu Town Planning Scheme, Mangalore, sanctioned in G.O.No.2023-P.H., dated 11th September 1933.

(By Order of Govt., Ministry of Local Self Govt.)

S.G.Jengodaiyan,
Deputy Secretary.

To the Chairman, Municipal Council, Mangalore.
" Collector of South Kanara.
" Director of Town Planning.
" Inspector of Municipal Councils and Local Boards.
" Law (Drafting) Department.
" Revenue Department.
" Superintendent, Government Press, for publication.

FORWARDED
(By Order)

Superintendent.

S.O.